

U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics

INTERPRETIVE GUIDANCE FOR THE FEDERAL PROGRAM
TSCA SECTIONS 402/403

FINAL 01/07/00

Q/A(7) Certification in Federal Program States

“Scope and Applicability”

“Certification”

“Fees”

745.220(b) This subpart applies to all individuals and firms who are engaged in lead-based paint activities as defined in Sec. 745.223, except persons who perform these activities within residential dwellings that they own, unless the residential dwelling is occupied by a person or persons other than the owner or the owner's immediate family while these activities are being performed, or a child residing in the building has been identified as having an elevated blood lead level. This subpart applies only in those States or Indian Country that do not have an authorized State or Tribal program pursuant to Sec. 745.324 of subpart Q.

745.226(a) Certification of individuals. (1) Individuals seeking certification by EPA to engage in lead-based paint activities must either:

(i) Submit to EPA an application demonstrating that they meet the requirements established in paragraphs (b) or (c) of this section for the particular discipline for which certification is sought;

745.238(c) Fee amounts.

(3) Multi-jurisdiction registration fee. An individual, firm, or training program certified or accredited by EPA may wish to provide training or perform lead-based paint activities in additional EPA-administered jurisdictions. A fee of \$35 per discipline will be assessed for each additional EPA-administered jurisdiction in which an individual, firm, or training program applies for certification/re-certification or accreditation/re-accreditation. For purposes of this multi-jurisdiction registration fee, an EPA-administered jurisdiction is either an individual state without an authorized program or all Indian Tribes without authorized programs that are within a given EPA Region.

745.238(d) Application/payment procedure-- (1) Certification and re-certification in one or more EPA-administered jurisdiction-- (i) Individuals. Submit a completed application (titled “Application for Individuals to Conduct Lead-based Paint Activities”), the materials described at §745.226, and the application fees described in paragraph (c) of this section.

Q1: Can a person take an EPA-accredited course in one EPA-administered state and then apply for and receive certification to work in a different EPA-administered state?

A1: Yes. EPA is running the same Federal program under Subpart L in all States and Indian Tribes that have not received authorization under Subpart Q to operate their own programs.

Individuals may apply for certification in more than one EPA-administered jurisdiction using the same application form and one set of credentials per discipline as described in 745.226. The application fee submitted will depend on the number of EPA-administered jurisdictions for which certification is sought, as described in 745.238(c).